

600 **APPLICABILITY**

- 600.1 The provisions in this Chapter shall apply exclusively to outdoor pay telephones unless otherwise specified.
- 600.2 The provisions in this Chapter do not apply to outdoor pay telephones installed and operated on federal military installations and federal military hospitals where access by the public is limited thereon.

AUTHORITY: D.C. Code §§ 2-505; 34-302, -320, -1516; 43-501

SOURCE: Final Rulemaking published at 48 DCR 1151 (February 9, 2001); Final Rulemaking published at 49 DCR 531 (January 18, 2002).

601 PAY TELEPHONE PROVIDER CERTIFICATION

- 601.1 A Pay Telephone Service Provider (“PSP”) seeking to provide pay telephone services within the District of Columbia (“District”) shall be certified by the Public Service Commission of the District of Columbia. This certification shall be renewed by previously approved PSPs every two years on March 31 in the same manner as the initial certification.
- 601.2 A Pay Telephone Certification Application (“Certification Application”) may be obtained from the Commission’s Office of Consumer Services.
- 601.3 The Completed Certification Application shall contain:
- (a) The Applicant’s D.C. Business Tax Registration Number issued by the D.C. Office of Tax and Revenue;
 - (b) A copy of the Applicant’s license to do business in the District of Columbia issued by the D.C. Department of Consumer and Regulatory Affairs; and
 - (c) The name, address, telephone number, fax number, and email address of a District of Columbia Registered Agent if the PSP does not have its principal place of business in the District of Columbia.
- 601.4 The Certification Application shall be executed by an officer of a corporation, a partner of a partnership, a designated agent of the owner, or by a sole proprietor.
- 601.5 The completed Certification Application shall be accompanied by a non-refundable check or money order in the amount of \$ 100.00, payable to the D.C. Treasurer. The completed Certification Renewal Application Form shall be accompanied by a non-refundable check or money order in the amount of \$ 50.00, payable to the D.C. Treasurer.
- 601.6 All filings to the Commission concerning pay telephones shall filed with the Commission Secretary.
- 601.7 Upon review of a completed Certification Application, the Commission shall certify the PSP and issue the PSP a certification number.
- 601.8 A PSP certification may not be sold, assigned, or otherwise transferred.
- 601.9 The Certification Application shall be available for public inspection.

SOURCE: Final Rulemaking published at 48 DCR 1151 (February 9, 2001); as amended by Final Rulemaking published at 55 DCR 1316 (February 8, 2008); as amended by Final Rulemaking published at 66 DCR 664 (January 18, 2019).

602 CANCELLATION OF CERTIFICATE

- 602.1 The Commission may cancel a PSP's certificate, after providing the PSP notice and an opportunity to be heard, for any of the following reasons:
- (a) Failure to register any pay telephone with the Commission;
 - (b) Improper installation or relocation of any pay telephone;
 - (c) Any violation of applicable federal or local law or regulation;
 - (d) Failure to maintain pay telephones in accordance with the provisions in § 609 of this Chapter.
- 602.2 The Commission shall notify the PSP by certified mail that it proposes to cancel the certificate, specifying the reason(s) for the cancellation.
- 602.3 The PSP shall be given fifteen (15) days from the date of the notice to respond in writing.
- 602.4 The Commission shall, within fifteen (15) days, notify the PSP of its decision by certified mail.
- 602.5 Upon cancellation of a PSP's certificate, the Commission shall, within fifteen (15) days, direct the local exchange carrier, providing dial tone to the pay telephone in issue, to terminate service to the instrument(s) and the PSP, shall, within sixty (60) days, remove its pay telephone(s).
- 602.6 A PSP may request that its certificate be canceled.
- 602.7 A request for cancellation of the certificate shall be in writing and shall include:
- (a) A list of the locations of each PSP payphone(s), if any;
 - (b) The PSP's specific plans for terminating service and removing the pay telephone(s), or its plans for transferring the PSP's registered pay telephones to another certified PSP in accordance with § 610; and
 - (c) The date on which the PSP wishes the cancellation to become effective.
- 602.8 If a request for cancellation of a certificate meets the requirements under this section, the Commission shall within ten (10) days send written notice to the PSP that its certificate has been canceled.

SOURCE: Final Rulemaking published at 48 DCR 1151 (February 9, 2001); as amended by Final Rulemaking published at 55 DCR 1316 (February 8, 2008); as amended by Final Rulemaking published at 66 DCR 664 (January 18, 2019).

603 (DELETED)

SOURCE: Final Rulemaking published at 48 DCR 1151 (February 9, 2001); as amended by Final Rulemaking published at 66 DCR 664 (January 18, 2019).

604 PAY TELEPHONE REGISTRATION

- 604.1 A PSP shall not install and/or operate a pay telephone in the District until the instrument is registered with the Commission.
- 604.2 Registration Applications shall be submitted for each proposed pay telephone.
- 604.3 Each Registration Application shall identify the proposed site of the pay telephone and state whether the pay telephone is to be located on public or private space.
- 604.4 If the proposed pay telephone location is located outdoors on public space, the Registration Application shall contain a copy of the public space permit for that location issued by the Public Space Committee under the Department of Transportation.
- 604.5 If the proposed pay telephone application is located outdoors on private space, the Registration Application shall be accompanied by a photograph of the proposed site.
- 604.6 If the proposed pay telephone is located in an alley, in or in front of a vacant lot, or in front of an abandoned building, the Registration Application shall be accompanied by a letter from the local ANC and/or MPD district supporting such installation.
- 604.7 The Registration Application shall be executed by an officer of the corporation, a partner in the case of a partnership, a designated agent of an owner, or a sole proprietor.
- 604.8 Each completed Registration Application shall be accompanied by a check or money order in the amount of \$50.00, which is a fee covering expenses associated with pay telephone regulation. The check or money order shall be made payable to the D.C. Treasurer. A PSP may apply for and receive a refund in the amount of \$50.00, provided that (a) the refund request is made before the 121st day after the Commission approves the PSP's Registration Application, and (b) the PSP certifies that it has not and will not install a pay telephone at the location specified in its Registration Application.
- 604.9 Upon the filing of a completed Registration Application for an outdoor pay telephone, the Commission shall notify, in writing, OPC, the ANC Chairperson, the Single Member District ANC Commissioner, and the MPD district for the area in which the pay telephone is to be located, as well as any local civic association that asks to be on the Commission's service list, that the Commission intends to take action on the pending application. The notice shall contain the name of the PSP, the proposed location of the pay telephone, and state whether the pay telephone is to be located on private or public property.
- 604.10 If a Registration Application is approved, the Commission shall issue a Registration Number for each pay telephone to the PSP. A Registration Number may not be altered, reused, or transferred to another PSP or pay telephone.

- 604.11 The Registration Application shall be available for public inspection.
- 604.12 If a Registration Application or Renewal Application contains incorrect information, a PSP shall submit an amendment to the Application within thirty (30) days of the date of notification from the Commission of the error(s). All amendments must be signed by the PSP and notarized. If a PSP fails to submit the requested information within thirty (30) days of notification, the Commission shall deny the Application, and the Registration Application or Renewal Application fees shall not be refunded.

SOURCE: Final Rulemaking published at 48 DCR 1151 (February 9, 2001); as amended by Final Rulemaking published at 55 DCR 1316 (February 8, 2008); as amended by Final Rulemaking published at 66 DCR 664 (January 18, 2019).

605 COMPLAINTS REGARDING THE INSTALLATION OF A PAY TELEPHONE

- 605.1 Any interested party may challenge a Registration Application by filing a written complaint with the Commission within forty-five (45) days of the date that notice of the Registration Application is served pursuant to § 604.8.
- 605.2 The Commission Secretary shall, within five (5) days, serve a copy of the complaint on OPC and the PSP seeking to register the pay telephone. The procedures in §§ 323 through 326 shall apply to complaints regarding complaints filed under this section.
- 605.3 The Commission shall not approve a Registration Application if the Commission finds, pursuant to § 614, that the pay telephone would constitute a public nuisance or significantly contribute to criminal activity in the surrounding community.
- 605.4 For a period of five (5) years, the Commission shall not approve a Registration Application for any pay telephone that is proposed to be located within a one (1) block radius of another pay telephone location against which a complaint is pending. When the Commission has ordered the removal of a pay telephone because the pay telephone has been found by the Commission, or its designee, to have constituted a public nuisance or significantly contributed to criminal activity in the surrounding community, the Commission shall not approve a Registration Application for any pay telephone that is proposed to be located within a one (1) block radius of the location of the removed pay telephone.
- 605.5 The Commission shall not approve a Registration Application until all of the PSP's existing pay telephones are in compliance with the provisions of § 609, entitled Pay Telephone Services.
- 605.6 If no opposition to the Registration Application is received within the time period set forth in § 605.1, and if the installation of the pay telephone is not otherwise barred under § 605.4, the application shall be approved.
- 605.7 Notwithstanding any other provision of these rules, the Commission, in order to protect the health, safety and welfare of the citizens of the District of Columbia, may reject any request for registration of a pay telephone, or may approve any registration subject to conditions imposed on the operation of the instrument.

SOURCE: Final Rulemaking published at 48 DCR 1151 (February 9, 2001); as amended by Final Rulemaking published at 55 DCR 1316 (February 8, 2008); as amended by Final Rulemaking published at 66 DCR 664 (January 18, 2019).

606 TWO YEAR REGISTRATION RENEWAL

- 606.1 The registration for each pay telephone shall be renewed every two (2) years.
- 606.2 PSPs shall submit a completed Pay Telephone Registration Renewal Form by March 31 of the year in which the existing registration expires. The Renewal Form may be obtained from the Commission Secretary.
- 606.3 The completed Renewal Application Form shall list the telephone number(s), registration number(s), and location for the existing pay telephone(s). Renewal Applications shall also comply with § 604.11.
- 606.4 Each completed Renewal Form shall be accompanied by a \$50.00 non-refundable fee payable by check or money order, to the D.C. Treasurer.
- 606.5 Failure of a PSP to submit the completed Renewal Form and fee shall result in suspension of service to the pay telephone(s) until such time as the registration is renewed.
- 606.6 The Renewal Application shall be available for public inspection.

SOURCE: Final Rulemaking published at 48 DCR 1151 (February 9, 2001); as amended by Final Rulemaking published at 55 DCR 1316 (February 8, 2008); as amended by Final Rulemaking published at 66 DCR 664 (January 18, 2019).

607 INSTALLATION

- 607.1 An outdoor pay telephone shall be installed within ninety (90) days after receiving approval by the Commission unless the PSP can show good cause, in writing, for delaying installation.
- 607.2 Failure to install an outdoor pay telephone within ninety (90) days may result in the Commission's withdrawal of its approval.
- 607.3 The PSP shall notify the Commission, in writing, within ten (10) days after the date of installation of a pay telephone.
- 607.4 PSPs shall make reasonable efforts to ensure that outdoor pay telephones are located in areas that provide adequate lighting during the hours of darkness.
- 607.5 PSPs shall make reasonable efforts to ensure that outdoor pay telephones are located in areas that provide adequate lighting during the hours of darkness.

SOURCE: Final Rulemaking published at 48 DCR 1151 (February 9, 2001); as amended by Final Rulemaking published at 55 DCR 1316 (February 8, 2008); as amended by Final Rulemaking published at 66 DCR 664 (January 18, 2019).

608 REMOVAL

- 608.1 A PSP shall notify the Commission, in writing, no later than ten (10) days after removing a pay telephone, and may not install the same or another pay telephone after removal before registering that pay telephone pursuant to § 604 of this Chapter.
- 608.2 If the Commission issues a final order to remove a pay telephone, the PSP shall immediately terminate service to the instrument and remove it within ten (10) days.
- 608.3 If a PSP fails to comply with a written directive of the Commission or other District of Columbia governmental agency to remove a pay telephone, the Commission may, in its discretion, impose penalties pursuant to § 617.1, order the suspension of service to that instrument and/or order the termination of service to the PSP's other pay telephones until such time as the PSP complies with the Commission's or other District of Columbia governmental agency's directive.
- 608.4 A pay telephone owned by a non-certified company may have dial tone service suspended as soon as the phone is identified as non-certified by the Commission. A non-certified owner will not be afforded time for corrective action pursuant to § 618. All such equipment must be removed, by the owner. The Commission will give thirty (30) days' notice to the pay telephone owners to remove their equipment.
- 608.5 If the pay telephone is not removed by the owner of the pay telephone by the deadline established by the Commission, then the pay telephone may be removed by the Commission or other District of Columbia governmental agency. The owner of the pay telephone may be charged reasonable expenses for the removal.

SOURCE: Final Rulemaking published at 48 DCR 1151 (February 9, 2001); as amended by Final Rulemaking published at 55 DCR 1316 (February 8, 2008); as amended by Final Rulemaking published at 66 DCR 664 (January 18, 2019).

609 PAY TELEPHONE SERVICES

609.1 All pay telephones shall provide the following operational characteristics:

- (a) Free access to dial tone, 911 emergency service, and toll-free numbers without having to deposit a coin(s);
- (b) Free access to all locally available long distance carriers at no charge and without having to deposit a coin(s);
- (c) Free access to telecommunications relay service for hearing-impaired and speech-impaired callers and without having to deposit a coin(s);
- (d) Access to 411 or “Directory Assistance”, and the caller must be advised of any charge either through a statement posted on the pay telephone instrument or through the use of voice prompts;
- (e) The ability to return any deposited coin(s) if the call is not completed; and
- (f) Compatibility with telecommunications switching technology that enables the pay telephone to be located in connection with 911 emergency and 311 non-emergency public safety calls.

609.2 Pay telephones shall display prominently the following information:

- (a) The valid Registration Number issued to the PSP, pursuant to § 604.109;
- (b) The telephone number of the pay telephone unless, for public safety reasons, the Commission determines that the telephone number should not be displayed;
- (c) The address of the pay telephone (as shown on the approved Registration Application);
- (d) The cost of a local call;
- (e) Notice of any limitations on service such as the instrument’s inability to receive incoming calls or its inoperability during certain hours;
- (f) Notice of the instrument’s inability to provide change, if applicable;
- (g) The name, address (as shown on the approved Registration Application) and telephone number of the PSP;
- (h) Procedures for obtaining customer refunds;
- (i) Procedures for reporting service difficulties; and

- (j) Notice that complaints concerning the pay telephone may be directed to the Commission's 24-hour hotline, (202) 737-4PSC, and the Office of the People's Counsel at (202) 727-3071.
- 609.3 Pay telephones shall display notice of a time limit, if any, for a local call and may also provide such information through a voice prompt.
- 609.4 Existing pay telephones shall have sixty (60) days from the date these rules are adopted to display registration number(s) and all other information required by these Rules, unless the time period is extended by the Commission for good cause.
- 609.5 Pay telephone shall be connected to one local exchange carrier and only one pay telephone per line shall be permitted.
- 609.6 Pay telephones shall comply with generally accepted telecommunications industry technical standards, the current National Electric Code and National Electrical Safety Code.
- 609.7 PSPs shall adequately maintain their pay telephones at all times.
 - (a) The PSPs' duty to provide adequate maintenance to their pay telephones shall apply not only to the performance and operational characteristics of pay telephone(s) as outlined in Sections 609.1 to 609.6, and 609.8, but shall also include the PSPs' duty to take all reasonable measures necessary to keep their pay telephone instruments and housing clean and presentable for public use, absent of any debris, unsanitary substances or defacement, including graffiti, unlawful writings, markings, gougings, and scratchings; and
 - (b) PSPs shall remediate any noncompliance respecting this section according to the requirements outlined in Section 609.9, *infra*.
- 609.8 Deleted.
- 609.9 Deleted.
- 609.10 The PSP shall notify the Commission in writing as to what actions have been taken to bring the pay telephone into compliance with the pay telephone service requirements.
- 609.11 Deleted.

SOURCE: Final Rulemaking published at 48 DCR 1151 (February 9, 2001); as amended by Final Rulemaking published at 52 DCR 544 (January 21, 2005); as amended by Final Rulemaking published at 55 DCR 1316 (February 8, 2008); as amended by Final Rulemaking published at 66 DCR 664 (January 18, 2019).

610 TRANSFER OF OWNERSHIP OF REGISTERED PAY TELEPHONES

- 610.1 PSPs shall not transfer ownership of registered pay telephones without the Commission's prior approval.
- 610.2 Pay telephones may be transferred only to PSPs that have been granted a certificate by the Commission to provide pay telephone service in the District in accordance with § 601.
- 610.3 A Pay Telephone Transfer of Ownership form may be obtained from the Commission Secretary.
- 610.4 The Transfer of Ownership form must be executed by an officer of a corporation, a partner or other designated individual having signing authority to bind a partnership, a designated agent of the owner, or by a sole proprietor for each party to the transfer.
- 610.5 Each completed transfer of ownership form shall be accompanied by a \$50.00 non-refundable check or money order payable to the D.C. Treasurer.
- 610.6 The transferee shall adhere to any conditions on the operation of pay telephones imposed on the transferor.

SOURCE: Final Rulemaking published at 48 DCR 1151 (February 9, 2001); as amended by Final Rulemaking published at 66 DCR 664 (January 18, 2019).

611 COMPLAINTS REGARDING EXISTING PAY TELEPHONES

- 611.1 Pay telephones associated with illegal activity or found to be a public nuisance may be subject to termination or alteration of service.
- 611.2 Any interested person may file a complaint concerning the operation of a pay telephone. A complaint alleging that an existing pay telephone(s) is in violation of any of the Rules under this Chapter must be submitted to the Commission in writing stating the basis for the complaint and the location or address of the existing pay telephone(s).
- 611.3 Upon receipt of a complaint regarding an existing pay telephone, the Commission shall make every reasonable effort to conduct an inspection of the pay telephone at issue within three business (3) days.
- 611.4 The Commission shall notify, by certified mail, any PSP not in compliance with these Rules and direct the PSP to bring the pay telephone into compliance within thirty (30) days. A PSP shall be accorded forty-five (45) days from the time that it is notified to bring its pay telephone into compliance, provided the PSP can represent in good faith and in writing that the cause of the non-compliance is an administrative or technical matter.
- 611.5 The PSP shall notify the Commission in writing as to what actions have been taken to bring the pay telephone into compliance.
- 611.6 If a PSP fails to bring the pay telephone(s) into compliance within thirty (30) days, the Commission shall order the suspension of service to that instrument and may, in its discretion, order the termination of service to the PSP's other pay telephones until such time as the PSP complies with the Commission's regulations.

SOURCE: Final Rulemaking published at 48 DCR 1151 (February 9, 2001); as amended by Final Rulemaking published at 55 DCR 1316 (February 8, 2008).

612 INFORMAL COMPLAINTS

- 612.1 A complaint regarding the operation of a pay telephone may be filed with the Office of Consumer Services, which shall handle the matter as an informal complaint for resolution.
- 612.2 The procedures for informal complaints in § 323 shall apply to informal payphone complaints.
- 612.3 If the complaint is resolved informally, the Commission shall dismiss the matter upon the submission of a signed settlement agreement that sets forth the terms of the settlement.
- 612.4 Notice of informal proceedings shall be sent by certified mail to the Complainant(s), the PSP, the ANC Chairperson and Single Member District ANC Commissioner of the community in which the instrument is located, OPC, and the MPD District in which the instrument(s) is located or proposed to be located. The notice shall state that OPC is available to assist and/or represent the complainant.
- 612.5 If the Office of Consumer Services determines that a matter cannot be resolved informally, then within five (5) Business Days, the Office of Consumer Services shall notify the Complainant in writing and invite the Complainant to file a Formal Complaint with the Commission. The PSP, the ANC Chairperson and Single Member District ANC Commissioner of the community in which the instrument is located, OPC, local civic association chair (if any) and the MPD District in which the instrument(s) is located shall be copied on this notification. The notification shall:
- (a) State that the Complainant has the right to file, at no cost, a Formal Complaint, if he or she so desires;
 - (b) State that a Formal Complaint must be filed within fourteen (14) Days of the date of mailing of the notification or the matter shall be dismissed;
 - (c) Indicate the availability of assistance and legal representation by OPC and OPC's address and telephone number;
 - (d) Indicate that the Complainant may be represented by him or herself, by counsel, by OPC, or by a third party of the Complainant's choosing; and
 - (e) Set forth the Commission's Formal Complaint and hearing procedures.

SOURCE: Final Rulemaking published at 48 DCR 1151 (February 9, 2001); as amended by Final Rulemaking published at 66 DCR 664 (January 18, 2019).

613 FORMAL COMPLAINTS AND HEARINGS

613.1 A formal complaint shall conform to the requirements of § 324. Formal hearings shall be conducted in accordance with the procedures in § 325.

613.2 Within two (2) Business Days of the filing of the Complaint, the Office of the Commission Secretary shall notify and provide the affected a Notice of hearings sent by first-class mail postage prepaid to the Complainant(s), the PSP, the ANC Chairperson and Single Member District ANC Commissioner of the community in which the instrument is located, local civic association chair (if any), OPC, and the MPD District in which the instrument(s) is located or proposed to be located. The notice shall state that OPC is available to assist and/or represent the complainant.

613.3 Notice of hearings shall be sent by certified mail to the Complainant(s), the PSP, the ANC Chairperson and Single Member District ANC Commissioner of the community in which the instrument is located, the Office of the People’s Counsel, and the MPD District in which the instrument(s) is located or proposed to be located. The notice shall state that OPC is available to assist and/or represent the complainant.

SOURCE: Final Rulemaking published at 48 DCR 1151 (February 9, 2001); as amended by Final Rulemaking published at 66 DCR 664 (January 18, 2019).

614 BURDEN OF PROOF

- 614.1 The burden of proof shall be by a preponderance of the evidence.
- 614.2 A preponderance of the evidence is that degree of relevant evidence which a reasonable mind, considering the record as a whole, would accept as sufficient to find a contested fact more probably true than untrue.
- 614.3 The PSP shall bear the burden of proof with regard to issues of whether the pay telephone is in compliance with these Rules, except as provided in § 614.4.
- 614.4 The complainant shall bear the burden of proof with regard to issues of whether the pay telephone is associated with illegal purposes or constitutes a public nuisance.
- 614.5 In weighing evidence regarding whether an existing or proposed pay telephone is, or is likely to be, associated with illegal activity, the Hearing Officer shall give great weight to any written statement or testimony from an MPD officer that, based on his or her knowledge and experience, the installation or continued operation of the pay telephone significantly contributes, or is likely to significantly contribute, to criminal activity in the neighborhood and, thereby, adversely affect the health, safety, and welfare of the residents.
- 614.6 In weighing evidence regarding whether a pay telephone constitutes a public nuisance, the Hearing Officer shall give great weight to the written recommendation of the ANC for the neighborhood in which the pay telephone is located or proposed to be located.
- 614.7 For the purpose of this section, “great weight” means that, unless there is a compelling reason to do other-wise, the Hearing Officer shall defer to the opinion of the MPD or ANC.
- 614.8 A pay telephone shall constitute a public nuisance if it adversely affects the common rights of the surrounding community, including, for example, injury to community members’ health, safety, peace, comfort, or convenience.

SOURCE: Final Rulemaking published at 48 DCR 1151 (February 9, 2001).

615 DECISIONS AND APPEALS

- 615.1 The Hearing Officer shall render a decision within thirty (30) days after the close of the record.
- 615.2 Any party may appeal the Hearing Officer's decision to the Commission pursuant to § 326. The appeal shall be served on the Complainant(s), the PSP, the ANC Chairperson and Single Member District ANC Commissioner of the community in which the instrument is located, local civic association chair (if any), OPC, and the MPD District in which the instrument(s) is located or proposed to be located.

SOURCE: Final Rulemaking published at 48 DCR 1151 (February 9, 2001); as amended by Final Rulemaking published at 66 DCR 664 (January 18, 2019).

Chapter 6, PAY TELEPHONES, of Title 15 DCMR, PUBLIC UTILITIES, AND CABLE TELEVISION, § 616, is amended to read as follows:

616 WAIVER

616.1 The Commission may upon request, or on its own initiative after notice to the parties of its intention do so, waive any provision of this chapter for good cause.

SOURCE: Final Rulemaking published at 48 DCR 1151 (February 9, 2001). Final Rulemaking published at 67 DCR 011091 (September 18, 2020).

617 PENALTIES

- 617.1 Pursuant to D.C. Code §§ 34-706 and 34-708, a PSP that fails to comply with any lawful requirement or order of the Commission shall be subject to a fine of up to \$5,000 for each day that the PSP willfully fails to comply with the Commission's order or directive.
- 617.2 Operation of a pay telephone without first registering the instrument with the Commission shall subject the PSP to a fine of up to \$5,000.

SOURCE: Final Rulemaking published at 48 DCR 1151 (February 9, 2001); as amended by Final Rulemaking published at 52 DCR 2346 (March 11, 2005); as amended by Final Rulemaking published at 66 DCR 664 (January 18, 2019).

618 SUSPENSION OF SERVICE FOR VIOLATION

- 618.1 If a PSP fails to adhere to the provisions of this Chapter, the Commission may suspend service to that instrument and may order the termination of service to the PSP's other pay telephones until such time as the pay telephone(s) is brought into compliance.
- 618.2 For violation of both §§ 601.1 and 604.1 (an unregistered pay telephone by a non certified owner), the Commission will terminate service to the pay telephone immediately without prior notice to the owner.
- 618.3 For violation of § 604.1, the Commission will give the PSP thirty (30) days' notice to correct the problem before taking action to suspend service to the pay telephone.
- 618.4 For violation(s) of § 606.1, the Commission will give the PSP thirty (30) days' notice to correct the problem before taking action to suspend service to the pay telephone.
- 618.5 For violations(s) of two (2) or more operational infractions in § 609.1 or five (5) or more signage infractions in § 609.2, the Commission will give the PSP thirty (30) days' notice to correct the problem before taking action to suspend service to the pay telephone.
- 618.6 The Commission will take action to suspend service immediately unless the PSP notifies the Commission in writing that it has cured the violations before the expiration of the thirty (30) day notice period.

SOURCE: Final Rulemaking published at 55 DCR 1316 (February 8, 2008); as amended by Final Rulemaking published at 66 DCR 664 (January 18, 2019).

699

DEFINITIONS

ANC – Advisory Neighborhood Commission.

MPD – Metropolitan Police Department.

OPC – Office of the People’s Counsel.

Pay Telephone Service Provider (“PSP”) – Any corporation, company, association, partnership or person engaged in the business of providing pay telephone service.

Pay Telephone – A telecommunications device connected to a local exchange carrier that is designed to allow a customer to make telephone calls with a coin and/or credit card.

Day – Unless the particular rule states otherwise, day shall mean calendar day.

SOURCE: Final Rulemaking published at 48 DCR 1151 (February 9, 2001); as amended by Final Rulemaking published at 66 DCR 664 (January 18, 2019).